

1 David Plotsky,)
2 State Bar No. 251174)
3 Plotsky and Dougherty, PC)
4 122 Girard, S.E.)
5 Albuquerque, New Mexico, 87106)
6 505-268-0095 (fax) 505-266-9585)
7 plotskylaw@gmail.com)
8 Attorney for Defendant, Yvonne Lattimore)
9

10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **SAN JOSE DIVISION**

13 **UNITED STATES OF AMERICA**) NO. CR 19-00046 BLF
14)
15 **Plaintiff,**)
16)
17 **vs.**)
18)
19 **YVONNE LATTIMORE**)
20) EX PARTE
21 **Defendant.**) MOTION AND
22) ~~(PROPOSED)~~ ORDER FOR
23) RELEASE OF FILES
24)
25) Status Conf. 9/28/2021
26) 9:00AM
27)
28) Trial 5/13/2022
29)
30

31

32 **EX PARTE MOTION AND ~~(PROPOSED)~~ ORDER FOR RELEASE OF FILES**

33

34 Defendant Yvonne Lattimore, through her counsel David L. Plotsky, requests
35 the Court order the Federal Public Defender for the Northern District of California to
36 release its complete file resulting out of its representation of Yvonne Lattimore in
37 the above referenced case to her counsel of record, David L. Plotsky.

1 The "complete file" is intended to include, but is not limited to, all
2 investigative work and all documents obtained, whether through discovery,
3 investigation, or from the client, as well as all electronic data, including the Case
4 Map 13 case file.

5 If the Federal Public Defender of the Northern District of California believes it
6 cannot comply with this request, Defendant requests an appearance on this matter
7 be scheduled before the Honorable Beth Labson Freeman.

8 Respectfully submitted by,

9

10 Dated: July 21, 2021

/s/ David L. Plotsky

David L. Plotsky
Attorney for Defendant

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

1 **PROOF OF SERVICE**
2 STATE OF New Mexico, COUNTY OF Bernalillo.

3
4 I am employed in the County of Bernalillo, State of New Mexico, I am
5 over the age of 18 and not a party to the within action; my business address
6 is: 122 Girard SE, Albuquerque, NM 87106.

7 On 7/21/2021 I served the foregoing documents described as: Ex Parte
8 Motion and Proposed Order, and Declaration of David L. Plotsky, on all interested
9 parties in this action via Email as follows: Christopher Vieira, AUSA at
10 Christopher.vieira@usdoj.gov and Severa Keith, FPD at Severa_Keith@fd.org.

11 I am "readily familiar" with this firm's practice of service via Email.

12 I declare under penalty of perjury under the laws of the State of New
13 Mexico that the foregoing is true and correct.

14 Executed on July 21, 2021 at Albuquerque, New Mexico

15
16 */s/ David L. Plotsky, Esq.*
17 David L. Plotsky

David Plotsky,
State Bar No. 251174
Plotsky and Dougherty, PC
122 Girard, S.E.
Albuquerque, New Mexico, 87106
505-268-0095 (fax) 505-266-9585
plotskylaw@gmail.com
Attorney for Defendant, Yvonne Lattimore

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERICA) NO. CR 19-00046 BLI

Plaintiff,

vs.

YVONNE LATTIMORE

Defendant.

) **(PROPOSED) ORDER TO**
)) **RELEASE FILES**

FOR GOOD CAUSE SHOWN, the Federal Public Defender for the Northern District of California is ordered to release its complete file resulting from its representation of Yvonne Lattimore in the above referenced case to her counsel of record, David L. Plotsky.

The “complete file” is meant to include, but is not limited to, all investigative work, all work product and all documents obtained, or generated, whether through discovery, investigation, or from the client, as well as all electronic data, including the Case Map 13 case file.

1 If the Federal Public Defender of the Northern District of California believes it
2 cannot comply with this request, an appearance on this matter may be made on
3 _____, 2021, at _____ before the Honorable Beth Labson
4 Freeman.

5
6 Dated: July 28, 2021

7
8 HONORABLE DISTRICT COURT JUDGE
9

10 
11 _____
12 BETH LABSON FREEMAN
13
14
15
16
17

18 **PARTIES ENTITLED TO NOTICE:**

19
20 David L. Plotsky
21 Plotsky & Dougherty, P.C.
22 Attorney for Defendant
23 122 Girard Blvd. SE
24 Albuquerque, NM 87106
25 (505) 268-0095 Phone
26 (505) 266-9585 Fax
27 plotskylaw@gmail.com

28
29 Christopher Vieira
30 Assistant United States Attorney

31
32 Severa Keith
33 Federal Public Defender